

# BOARD OF SELECTMEN MEETING MINUTES

February 16, 2016

Town Hall

Chairman Kenneth Picard; Selectman Robert J. Fleming; Selectman James Brochu; Town Manager, Blythe C. Robinson; Executive Assistant, Sandra Hakala

The meeting was called to order at 6:00pm. Chairman Picard opened the meeting and after the pledge of allegiance reviewed the agenda.

## MINUTES

**Motion #1:** Motion made by Selectman Brochu to approve the February 2, 2016 regular session meeting minutes.

Second: Selectman Fleming, Unanimous Chairman Picard.

## INVITED GUESTS

### Public Hearing – Application for Common Victualler – Upton House of Pizza

Ownership is changing for this business, which necessitated the Board holding a hearing before approving the change of license.

Tabled until March 1, applicant did not appear.

### Police Union – Execute 2015 – 2018 Contract

Sargent Alan Cyr was in attendance representing the Police Union to execute the successor agreement with the union.

**Motion #1:** Motion made by Selectman Fleming to ratify the Collective Bargaining Agreement Between the Town of Upton and Local 162, Massachusetts Coalition of Police, I.U.P.A., AFL-CIO.

Second: Selectman Brochu, Unanimous Chairman Picard.

### Representative David Muradian

Rep. David Muradian attended the Board of Selectmen meeting to outline how the governor's proposed budget would impact the town.

The Governor's proposed budget includes increases in several areas, which would be beneficial to Upton and its residents. Unrestricted general government aid is expected to increase \$21,105 to 511,914; Chapter 70 funds would increase \$44,220 from the amount allocated last year. Muradian also stated the budget includes a sizeable deposit into the state's stabilization fund of over \$200 million.

Muradian will request additional funding for 13 defibrillators to replace the ones in all police and fire trucks as well as a training unit to be incorporated into the budget in Upton's behalf.

The Board thanked Rep. Muradian for his efforts to advocate for the town.

43 **RECOGNITION**

44 The Ice – Out on Pratt Pond, a fundraising event the Upton Men’s Club is organizing, was  
45 recognized by Selectman Brochu as being creative for the benefit of the town.

46  
47 Selectman Fleming recognized the accomplishment of Lt. Bonnie Lopez, Robert Johnson, and  
48 Seth Grill of the Upton Fire & EMS Department for participating in the Fight for Air Climb, a  
49 fundraising event of the American Lung Association. The team raised \$1103 in memory of  
50 Aaron Goodale III and Sally Johnson.

51  
52 **NEW BUSINESS**

53 Selectman Fleming responded publicly to criticism of the board published on the *Upton Daily*  
54 blog in two letters addressed to the editor regarding the board’s decision to purchase a car for the  
55 Town Manager.

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57 The individual claimed that the Board of Selectmen “does not communicate back to them and the  
58 only option is through Town Meeting”. Selectman Fleming responded by saying that in the past,  
59 he has spoken to him about concerns through email, he personally “drove to his place of  
60 employment in Southborough one evening and spent an hour and a half with that individual,  
61 sitting down, allowing the individual to go through his concerns and issues” and on another  
62 occasion, “\$32 worth of information was mailed to that individual's house.” That the Board of  
63 Selectmen does not communicate and does not respond is not factual reiterated Selectman  
64 Fleming.

65  
66 Fleming also said that this residents’ concerns in the past was that his brother was not hired as  
67 DPW director and implied that this residents’ accusations about the Town Manager may be due  
68 to a personal issue that he has with her for not hiring his brother. Selectmen Fleming went on to  
69 explain the hiring process and that the hiring of individuals is a consensus among many involved  
70 in the process.

71  
72 “To make an accusation that the town manager’s character and integrity is challenged because  
73 you have a personal agenda ... is wrong,” Selectman Fleming said.

74  
75 The purchase of a new car was also reviewed by the Board of Selectmen, the Finance Committee  
76 and voted for “almost unanimously” by the residents Selectman Fleming went on to say.

77  
78 “If you feel that the town vehicle is not needed, then you are challenging that the Board of  
79 Selectmen, the Finance Committee and the voters of this town don’t know what they’re doing,  
80 which couldn't be more from the truth,” he argued. During the November Special Town Meeting,  
81 residents approved a new eco-friendly vehicle for the town manager as part of the Green  
82 Communities initiative.

83  
84 Fleming also responded by saying that the town received \$148,000 last year through the Green  
85 Communities initiative to implement more green practices, which is “enough to buy six  
86 vehicles.”

88 The Board of Selectmen determined that at 54 cents a mile, “to compensate the Town Manager  
89 for mileage based upon town use would exceed the actual cost of a life of a vehicle over a ten- to  
90 15-year period.”

91  
92 Selectman Fleming concluded by stating that this individual has not been to a Town Meeting in  
93 eleven years and has a state vehicle parked in his driveway to use to and from work. “That’s real  
94 irony.” Selectman Fleming encouraged that individual to get involved and be accountable.

### 95 96 **MANAGER’S REPORT**

97 The double telephone pole issue continues to be addressed and is focused on Main Street.  
98 National Grid has reviewed the locations in that area and notes that utilities need to be moved by  
99 Verizon and by the Town (fire alarm wiring). A bucket truck will be borrowed or rented for a in  
100 order to get up on the poles in question. When that is completed National Grid will be notified  
101 and urged to have Verizon perform their work and take the poles down.

102  
103 An Insurance Advisory Committee meeting was held to review the 12.8% from MIIA rate  
104 increase for health insurance for next year. This increase is driven by the high loss ratio and the  
105 overall increasing costs of medical and prescription drug trend. The Committee reviewed plan  
106 design changes that include deductibles, and the town Manager was asked to obtain quotes from  
107 other carriers for comparison purposes.

108  
109 Ms. Robinson met with the Town’s financial advisor to review financing options for larger  
110 capital projects and pieces of equipment. A couple of major debt exclusions are coming to an  
111 end in the next couple years and thus possibly an opportunity to address other capital needs in  
112 town without an increase in the tax rate.

113  
114 Ms. Robinson attended a presentation in Worcester regarding the State’s “Complete Streets”  
115 program to learn whether the Town should consider adopting this standard, as well as whether  
116 there are funds available to help do this.

### 117 118 **DISCUSSION ITEMS**

#### 119 **Discuss FY 2016/2017 Budget – Public Works**

120 DPW Director Vincent Roy met with the Selectmen to go over the proposed changes in the  
121 highway, parks/forestry/cemetery divisions, and the water and wastewater enterprise fund  
122 budgets. Water and Wastewater rates for the following fiscal year need to be set in March.

#### 123 124 **Motion to Execute March 3rd Special Town Meeting Warrant**

125 A final version of the warrant which includes six articles for the special town meeting to be held  
126 on March 3<sup>rd</sup> was discussed. Three articles are devoted to providing employees with a further  
127 1% COLA in order to fund the union contracts, one is a transfer between line items, one is for  
128 the monies needed to match a state grant to purchase a piece of equipment for the DPW, and the  
129 last is the fee to purchase a subscription to the ClearGov website. An article to increase the  
130 elected Treasurer/Collector’s salary was added because Town Counsel has advised that once  
131 Town Meeting has set a salary and the tax rate is set, the salary can only be changed by a 2/3  
132 vote of Town Meeting.

**Motion #2:** Motion made by Selectman Fleming to execute as submitted the Special Town Meeting Warrant to be held on March 3, 2016.

Second: Selectman Brochu, Unanimous Chairman Picard.

**Motion to Execute Contract with Colonial Power – Electricity Aggregation**

The Board reviewed a contract between the Town and Colonial Power, the purpose of which is to manage the process to go out to bid on the Town's behalf to provide its residents and businesses with an option for purchasing electricity at a cost less than is provided by National Grid. Previous approval had been obtained at Town Meeting several years ago with the intent to have this process managed by the Hampshire Council of Governments. They were unable to obtain approval from the State Dept. of Public Utilities for the 40 towns who wanted to participate. That approval by Town Meeting can be transferred to another vendor, and the Town Manager recommended that Colonial Power be retained by the Town. Colonial has represented a number of communities for this service and would like to do the same for Upton, and will work with the Board and the Green Community Committee to determine which plan to pursue. Those who do not want to participate have the option to opt out at any time, as does the town if it is dissatisfied with the service. The draft agreement has been reviewed by Town Counsel and approved as to form.

**Motion #3:** Motion made by Selectman Fleming to execute the contract proposed between the Town and Colonial Power to manage the process to go out to bid on the Town's behalf.

Second: Selectman Brochu, Unanimous Chairman Picard.

**Motion to Approve Department Head Contracts**

Tabled.

**Execute the Presidential Primary Ballot for March 1, 2016**

The Selectmen executed the ballot for the presidential primary that will be held in Massachusetts on March 1st in order to be posted by February 23rd.

**Motion #4:** Motion made by Selectman Fleming to execute the ballot to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at 001/001 & 002 Nipmuc Regional High School Gymnasium on Tuesday, the first day of March, 2016, from 7:00 A.M. to 8:00 P.M. for the following purpose: To cast their votes in the Presidential Primary for the candidates of political parties for the following offices:

Presidential Preference	for This Commonwealth
State Committee Man	Second Worcester Senatorial District
State Committee Woman	Second Worcester Senatorial District
Ward or Town Committee	Upton

Second: Selectman Brochu, Unanimous Chairman Picard.

**Discuss CHAPA first right of refusal for 19 Maple Avenue**

179 A notice from CHAPA about a unit of affordable housing at 19 Maple Avenue was discussed by  
180 the Board as the Town has the first right of refusal to purchase the property.

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182 ***Motion #4:*** Motion made by Selectman Fleming to exercise the first right of refusal to purchase  
183 the affordable housing unit at 19 Maple Avenue by taking no action.

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185 Second: Selectman Brochu, Unanimous Chairman Picard.

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187 *Discuss Retaining a Guest Speaker on the Topic of Opiates*

188 Selectmen Picard has invited a guest speaker to attend the next meeting to continue the  
189 discussion with the Board on the topic of opiates.

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191 **MEETING LOOK AHEAD TOPICS**

192 Dual telephone poles

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194 **NEW BUSINESS**

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196 **ADJOURN MEETING**

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198 ***Motion #5:*** At 7:30pm motion was made by Selectman Brochu to adjourn the regular meeting.

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200 Second: Selectmen Fleming, Unanimous Chairman Picard.

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202  
203 Respectfully submitted,

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205  
206 Sandra Hakala  
207 Executive Assistant